

REMARKS

The present application was filed on June 15, 2000 with claims 1-14. Claims 5, 16 and 17 have been canceled, claims 1-4 and 6-15 are pending, and claims 1, 8, 12 and 15 are the pending independent claims.

In the outstanding final Office Action dated February 10, 2005, the Examiner rejected claims 1-17 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,164,975 to Weingarden et al. (hereinafter “Weingarden”) in view of U.S. Patent No. 6,732,331 to Alexander (hereinafter “Alexander”).

With regard to the rejection of claims 1-17 under 35 U.S.C. §103(a) as being unpatentable over Weingarden in view of Alexander, Applicants have amended independent claims 1, 8, 12 and 15 and claims 5, 16 and 17 have been canceled without prejudice. Independent claims 1, 8, 12 and 15 have been amended to recite that a profile for a user is generated from a questionnaire answered by the user. The questionnaire comprises a plurality of questions, wherein an answer provided by the user to each question results in a designation of a series of weights to one or more of a plurality of learning modes. The weights are utilized to generate a plurality of normalized numeric learning mode ratings in the profile, and a highest numeric learning mode rating in the profile corresponds to an optimum learning mode for the profile. Dependent claims 6, 9-11, 13 and 14 have also been amended to correspond to their respective independent claims. Support for the amendments can be found on pages 8 and 9 of the specification.

The combination of Weingarden and Alexander fails to disclose a profile generated from a questionnaire answered by the user. The Examiner contends that Weingarden discloses the calculation of a profile based on responses to a questionnaire and directs Applicants to column 7, lines 23-41 and column 10, line 25 to column 11, line 47. However, while Weingarden discloses “learner responses,” Applicants assert that such responses are not in response to a questionnaire, but instead relate to a database of learner behaviors, and strategies for improving these responses, or behaviors.

The combination also fails to disclose that an answer provided by the user to each question in the questionnaire results in a designation of a series of weights to one or more of a plurality of

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learning modes. Finally, the combination of Weingarden and Alexander fails to disclose that the weights are utilized to generate a plurality of normalized numeric learning mode ratings in the profile.

Dependent claims 2-4, 6, 7, 9-11, 13 and 14 are patentable at least by virtue of their dependency from independent claims 1, 8 and 12, respectively. Dependent claims 2-4, 6, 7, 9-11, 13 and 14 also recite patentable subject matter in their own right.

In view of the above, Applicants believe that claims 1-4 and 6-15 are in condition for allowance, and respectfully request withdrawal of the §103(a) rejection.

Respectfully submitted,



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